

## REMARKS

The Office Action mailed June 14, 2005, has been carefully reviewed and the foregoing amendments and the following remarks are made in response thereto.

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by European Patent Application Publication No. 0 689 105 to Kikuta et al. (hereinafter “Kikuta”). Claims 4 and 5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent No. 2001-249545 to Miyasaka et al. (hereinafter “Miyasaka”). Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuta. Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyasaka in view of Kikuta.

By this amendment, claims 1 and 4 have been amended to further define the subject matter Applicants regard as the invention. Support for the amendments to claims 1 and 4 can at least be found in FIG. 2A and on page 10, line 3 through page 11, line 4 of the present specification. New claims 7-14 have been added and claims 2, 3, 5 and 6 remain unchanged in the application.

This amendment changes, adds, and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Thus, claims 1-14 are presently pending in this application for consideration.

Applicants respectfully submit that each of the pending claims is patentably distinguishable over the cited references as required by § 102 and § 103. Applicants further submit that none of the cited references, whether considered alone or in combination, discloses Applicants’ claimed image forming apparatus arranged such that: (1) ***an image carrying body...is disposed adjacent to a first chamber*** and (2) ***a third chamber [is] disposed opposite to the image carrying body with the first chamber and the second chamber interposed therebetween***. Each of the independent claims, namely claims 1 and 4, includes these arrangements. By contrast, the cited references fail to teach or suggest each of these claimed arrangements. Accordingly each of the claims is patentably distinguishable over the cited references. This distinction will be further described below.

### **THE CLAIMS DISTINGUISH OVER THE CITED REFERENCES**

Each of the independent claims stands rejected under 35 U.S.C. § 102(b) as being anticipated by Kikuta or Miyasaka. These rejections are respectfully traversed because amended independent claims 1 and 4 clearly define relationships between the image carrying body and the first, second and third chambers that are not disclosed in or suggested by either the Kikuta or Miyasaka patents. In particular, the cited references fail to disclose or suggest each of the following arrangements: (1) ***an image carrying body... disposed adjacent to a first chamber*** and (2) ***a third chamber disposed opposite to the image carrying body with the first chamber and the second chamber interposed therebetween.***

Kikuta is directed to a developer agitating and conveying device. As shown in FIG. 1, the developer agitating and conveying device 7 includes several chambers housing agitating/conveying members 62, 64 and 66. One chamber, housing agitating/conveying member 64, is defined between a developer applicator means 26 and a downstream-side partition wall 40. A second chamber, housing agitating/conveying member 62, is defined by the downstream-side partition wall 40 and an upstream-side partition wall 38. A third chamber, housing agitating/conveying member 66, is defined by the upstream-side partition wall 38 and a rear wall 16. A rotating drum 2 having a latent electrostatic image formed on its peripheral surface is provided adjacent to the developer applicator means 26 (Column 9, lines 16-20). Thus, as clearly shown in FIG. 1, the developer applicator means 26 is disposed between the rotating drum 2 and one of the chambers of the developer agitating and conveying device 7. Therefore, Kikuta at least fails to disclose the claimed arrangement of ***an image carrying body... disposed adjacent to a first chamber.***

Miyasaka is directed to an image forming device that eliminates the problems associated with uneven toner concentration. The Examiner has referred to FIG. 4 of the Miyasaka patent as illustrating a first mixer 8, a second mixer 9, and a third mixer 7. In FIG. 4, reference numeral 10 identifies an image carrying body and reference numeral 3 identifies a magnet roller disposed between the image carrying body 10 and the third mixer 7. Miyasaka, like Kikuta however, does not disclose the claimed arrangement of ***an image carrying body... disposed adjacent to a first chamber.*** In Miyasaka, the magnet roller 3, not the

image carrying body 10, is adjacent to the mixer. Moreover, Miyasaka also fails to disclose the arrangement of *a third chamber disposed opposite to the image carrying body with the first chamber and the second chamber interposed therebetween.*

In view of the fact that the Kikuta and Miyasaka patents do not disclose each of the claimed arrangements, these two references cannot be said to anticipate nor can they be said to render obvious the invention which is the subject matter of independent claims 1 and 4. Thus these claims are allowable. Since independent claims 1 and 4 are allowable, claims 2, 3 and 5-14 are also allowable by virtue of their direct or indirect dependence from allowable independent claims 1 and 4 and for containing other patentable features. Further remarks regarding the asserted relationship between any of the claims and the cited references is not necessary in view of their allowability. Applicants' silence as to the Office Action's comments is not indicative of being in acquiescence to the stated grounds of rejection.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of

papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R.  
§1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

September 14, 2005

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